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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

NANCY J. HERTZFELD,

Chapter 11
Case No. 22-

Debtor.
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DECLARATION PURSUANT TO LOCAL BANKRUPTCY RULE 1007-2

NANCY J. HERTZFELD, hereby declares as follows under penalty of perjury:

1. I am the debtor and debtor-in-possession herein. I am familiar with the facts and circumstances as recited herein. This declaration is submitted pursuant to Local Bankruptcy Rule 1007-2.

2. I am presently 84 years old. I reside at 170 East 78th Street, Unit 9E, New York, New York which is a cooperative apartment unit which I own (the "Apartment"). All of my personal assets are located at the Apartment. I act as an independent real estate broker from time to time, but live primarily on Social Security benefits.

3. On January 18, 2023 (the "Petition Date"), I filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code") with this Court and an Order for Relief was entered. I remain in possession of my property and am continuing to manage my property and affairs as a debtor-in-possession. No trustee, custodian or receiver was appointed, and no committee of creditors was formed, prior to the Petition Date.

4. I was recently served with a Notice of Foreclosure and Termination dated June 7, 2022 by the building, 170 East 78th Street Owners Corp., advising that all of my rights,

title and interests with respect to the capital stock allocated to the Apartment would be cancelled and that the proprietary lease with respect to the Apartment would terminate as of June 19, 2022 on account of unpaid maintenance charges with respect to the Apartment.

5. I filed for protection under the Bankruptcy Code so as to reorganize my financial affairs. I believe that, given a respite from the collection efforts now being pressed against me, I can successfully and expeditiously exit chapter 11.

6. Pursuant to LBR 1007-2(a)(4), a list containing the names and addresses of what I believe to be my twenty largest unsecured creditors, excluding insiders, is simultaneously being filed with the Court.

7. Pursuant to LBR 1007-2(a)(5), all of my secured creditors are listed in my Schedule D which is simultaneously being filed with the Court.

8. Pursuant to LBR 1007-2(a)(6), an approximate summary of my assets and liabilities are set forth in my Schedules A/B, D and E/F which are simultaneously being filed with the Court.

9. LBR 1007-2(a)(7) is not applicable as I am an individual and not a corporate entity.

10. Pursuant to LBR 1007-2(a)(8), there is no property of mine in the possession or custody of any public officer, receiver, trustee, pledgee, assignee of rents, liquidator, secured creditor, or agent of any such person.

11. LBR 1007-2(a)(9) is not applicable as I am an individual and not a business entity.

12. Pursuant to LBR 1007-2(a)(10), I am in possession of all of my assets and books and records.

13. Pursuant to LBR 1007-2(a)(11), the only action or proceeding to which I am a party is a medical malpractice action entitled *Nancy Hertzfeld v. Northwell Health Manhattan Eye, Ear & Throat Hospital, et al.* (Sup. Ct., N.Y. Cty. Index No. 805270/2021) which matter is pending.

14. LBR 1007-2(a)(12) is not applicable as I am an individual and not a corporate entity.

15. My projected net income during the thirty (30) day period following the commencement of the chapter 11 case is approximately \$2480.00. My expenses and disbursements for the same period are anticipated to total approximately \$6,000.00.

16. I believe that under the supervision of the Bankruptcy Court, I will be able to restructure my obligations and pay creditors substantially more than they would receive if I went through a forced liquidation.

17. I hereby declare, pursuant to 28 U.S.C. §1746 and under penalties of perjury, that the foregoing is true and correct to the best of my knowledge and belief.

Dated: January 18, 2023


NANCY J. HERTZFELD